

# MANDATE

UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

N.Y.S.D. Case #  
04-cv-4151(AKH)

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 22<sup>nd</sup> day of August, two thousand and eighteen.

Before: Dennis Jacobs,  
Pierre N. Leval,  
Richard C. Wesley,  
*Circuit Judges.*

USDC SDNY  
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DATE FILED: Oct 18 2018

American Civil Liberties Union, Center for Constitutional Rights, Inc., Physicians for Human Rights, Veterans for Common Sense, Veterans for Peace,

Plaintiffs - Appellees,

v.

United States Department of Defense, its components  
Department of Army, Department of Navy, Department of Air Force, Defense Intelligence Agency, United States Department of the Army,

Defendants - Appellants.

The appeal in the above captioned case from a judgment of the United States District Court for the Southern District of New York was argued on the district court's record and the parties' briefs. Upon consideration thereof,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the judgment of the district court is REVERSED and the case is REMANDED with directs to enter judgment for the Government.

For the Court:  
Catherine O'Hagan Wolfe,  
Clerk of Court

  
Catherine O'Hagan Wolfe

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit



**MANDATE ISSUED ON 10/18/2018**